

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

_____	)	
Mitutoyo Corporation,	)	
Mitutoyo America Corporation	)	
and	)	
Hexagon Metrology Nordic AB,	)	
	)	
Plaintiffs,	)	Civil Action No. 03C 0990
	)	
v.	)	Honorable Samuel Der-Yeghiayan
	)	Magistrate Judge Ashman
Central Purchasing, LLC,	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF MITUTOYO CORPORATION'S MOTION FOR  
PRE-JUDGMENT INTEREST UNDER 35 U.S.C. § 284  
AND POST-JUDGMENT INTEREST UNDER 28 U.S.C. § 1961**

Plaintiff Mitutoyo Corporation ("Mitutoyo") respectfully moves this Court, pursuant to 35 U.S.C. § 284 and 28 U.S.C. § 1961, for an Order granting Mitutoyo (i) additional pre-judgment interest in the amount of \$86,545; and (ii) post-judgment interest at the rate of \$356 per day, beginning on March 10, 2006 and continuing until the day the judgment is fully paid.

As set forth more fully in the accompanying memorandum in support of this motion, Mitutoyo is entitled to (i) additional pre-judgment interest (the March 9, 2006 Judgment awarded pre-judgment interest through June 30, 2005) because there are no exceptional circumstances that would otherwise justify the denial of an award of additional pre-judgment interest in this case, and an award of additional pre-judgment interest will fully compensate Mitutoyo for Central Purchasing's infringement under 35 U.S.C. § 284; and (ii) post-judgment interest because such interest is to be awarded on any money judgment in a civil case in a district court under 28

U.S.C. § 1961. Mitutoyo also submits in support of this motion the Declaration of Robert Christopher Rosenthal, Mitutoyo's damages expert, as to the appropriate amounts of the additional pre-judgment interest and the post-judgment interest.

Accordingly, for the reasons set forth above, as well as those in the accompanying papers, Mitutoyo respectfully requests the Court to grant Mitutoyo's motion and award Mitutoyo (i) additional pre-judgment interest in the amount of \$86,545; and (ii) post-judgment interest at the rate of \$356 per day, beginning on March 10, 2006 and continuing until the day the judgment is fully paid.

Respectfully submitted,

MITUTOYO CORPORATION

Date: March 23, 2006

By: s/ Patrick G. Burns

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